

Workshop on the
Delta Improvements Package

4 p.m. May 27, 2004
Jean Harvie Community Center
Walnut Grove, California

Attendees: See attached sign-in sheets (Available upon request).

Agency Respondents: Patrick Wright, California Bay-Delta Authority; Jerry Johns, Kathy Kelly, Department of Water Resources; Perry Herrgesell, Department of Fish & Game; Ron Milligan, Bureau of Reclamation; and Mark Goudy, Central Valley Regional Water Quality Control Board.

Summary of Comments and Responses at the workshop:

1. Is there anything in this plan that addresses the continuous violations of water quality standards by the City of Manteca and City of Stockton?

Response: While this issue is not specifically a part of the Delta Improvements package, it is the responsibility of the Regional Water Quality Control Board to address violations and permit renewals.

2. There are a lot of “wills” being used here [in the MOU] – you need to have “shall” in there to hold people’s feet to the fire.
3. How much additional water will be exported because of the increase in pumping capacity?

Response: The average increase will be about 190,000 acre-feet per year, split 50-50 between the CVP and the SWP. That doesn’t include any transfers that would take advantage of the increased capacity.

4. What do you mean increase? You’re just making up for deficiencies from 10 years ago.

Response: That’s in comparison to the 2001 baseline.

5. You say 190,000 acre-feet, but we’ve seen numbers as high as 1 million acre-feet. What’s the difference?

Response: The 1 million figure was not an average and included assumptions about water under the Phase 8 Agreement and other transfers that could take advantage of extra capacity. And each transfer would have to undergo its own environmental review.

6. So it's an unrealistic number?

Response: I was tremendously surprised to see it.

7. Why develop a package instead of implementing the whole CALFED ROD?

Response: This is really in response to stakeholder concerns over a lack of public process. Now folks can see that pumping is going forward linked to other aspects without going into the whole Program. This way you can readily see that the increased pumping is not happening in isolation but is linked with water quality and environmental improvements.

8. What's the primary difference between Napa and the Delta Improvements Package?

Response: Napa dealt with only one element of the package, to better integration of the SWP and CVP. It didn't deal with environmental and water quality issues.

9. You say "no significant degradation of water quality" but it's already one of the 10 most degraded bodies of water. We're not interested in not worsening the conditions – we're interested in improving them.

Response: We appreciate the concerns over water quality. The package includes development of an aggressive salinity management plan intended to yield significant improvements.

10. The solution for salinity reduction is to release more water from Friant. The Upper San Joaquin River: That's where we need to concentrate on increased flows.

Response: The Natural Resources Defense Council (NRDC) and the Friant Water Users Association were working on a comprehensive plan that was going to present a draft Restoration Strategies Report. DWR is working with the Bureau to help move that forward.

11. It seems like we're just proposing another cash crop for Southern California, like in the Imperial Valley, where farmers buy water from the government at \$15.50 an acre-foot and sell it for \$200 or more.

Response: We need to be understanding about better use of the supplies we have. The legislature has encouraged water transfers, and we need to understand how they work. There is a need for additional

compensation to cover costs. Farmers who turn to pumping groundwater instead of using surface water need to cover the cost of pumping and there's the loss of crop income.

12. I'm not interested in shipping any more water out of my river for any purpose.
13. The California water project was intended to irrigate arid land and provide water for agriculture. If they've got so much water that they can sell it, then they're getting too much water in the first place.
14. The NRDC is in litigation to re-water the San Joaquin River, so I question the wisdom of taking even more water out of the river.
15. Water Quality concerns. This is the first time I've heard this broached by any committee, so I commend you for that. At Napa, Contra Costa Water District wasn't invited and the media was barred, so this is good.

Response: CALFED is not your father's water project. The fisheries are at the table with equal standing and projects will not continue without protections for fisheries. There's a ROD commitment for continuous improvement. There's more striped bass than in the past. Smelt are in trouble, but we're working on protection through EWA-type processes. The commitments in here leave room to assess if there's a better way to deal with these.

16. I've been fishing the Delta for 50 years and I've never seen it so environmentally degraded. There's no decent spawning areas any more. The water diversions are really confusing fish. The more water you pull out of the Delta, you're really going to mess things up.
17. Additional storage on the San Joaquin would further reduce flows, wouldn't it?

Response: An evaluation of additional surface storage is part of the CALFED Program to see what's feasible, but this package doesn't cover that.

18. My concern with the MOU is that it doesn't have a sufficient commitment to drinking water quality. It needs to identify funding sources. If you can't protect water quality when you're pumping 6,680, how can you do it at 8,500?

19. The timeframe for responses is too short. We appreciate the outreach efforts you are doing, but we want more than 1 week to respond. A month would be more realistic.
20. We want firm commitments instead of “wishy-washy” language. More “shalls” instead of “wills”.
21. It’s hard to find a long-term commitment to the Ecosystem Restoration Program. That should be a first-tier concern for the MOU.
22. Frank’s Tract needs more ecosystem protection. You’re too focused on water quality issues there and not enough on ecosystem and fisheries protection.
23. The fish agencies seem silent on operational alternatives – the plan seems biased toward maximum exports.
24. Maybe its just semantics, but I’m concerned by what you mean by “no significant degradation of water quality.” When Stockton posts signs saying “don’t eat the fish,” that’s a pretty significant degradation.

Response: The problem with fish is the mercury that is a legacy of the state’s mining days. This project won’t affect that.

25. What’s the timeframe for comments on the DIP under CEQA/NEPA?

Response: The DIP is a collection of projects. The South Delta Improvements Package will produce a draft EIR/EIS and we’re targeting mid-September to have that draft released. Other actions under the DIP are at various stages.

26. The Environmental Water Account – if it doesn’t continue, what’s the alternative? How much water would you need to purchase?

Response: We see some benefits to the EWA and it’s undergoing a scientific review this fall. Then we can look at the focus of where EWA is. If we decide that in-Delta flows are not the best use of water, we could move more upstream. Some form of EWA will continue, but we’re still working on determining the size (ROD called for 180,000 acre-feet, but it’s been running around 210,000-250,000). And we have to determine how to finance and what portion is a benefit for fish (public funds) and what portion benefits water users (their funds).

27. Is the Regional Board a signatory to the MOU?

Response: No. They're participating for informational purposes, but they are a signatory to the CALFED ROD.

28. The MOU regarding Vernalis flow standards simply says the Bureau will notify the CALFED agencies and the State Board when it fails to meet the standards. Is the state board OK with that?

Response: The MOU identifies what happens now. Our objective is to make that better and to meet the standards. The Board also is doing a periodic review of the standards and we want it to be based on the best science available.

29. What would be the annual cost of the EWA?

Response: It depends. A longer-term EWA could mean better rates through longer-term purchase contracts. It will probably be between \$32 million and \$36 million a year.

30. If people started paying the actual cost of water, conservation would come into play. A lot of problems would go away if people paid the true cost of water.

31. What's the status of Frank's Tract and what effects would it have if you closed it off?

32. Frank's Tract – I'm concerned about the effect on fish and recreation.

Response: It's in the feasibility phase, and the environmental impacts will be evaluated.

33. Is salmon recovery on the Stanislaus defined as doubling in the MOU? The Central Valley Project Improvement Act gave a date for doubling to be accomplished.

Response: Nothing in this MOU changes the CVPIA.

34. The date for doubling is not being met and it looks like the 800,000 acre-feet [called for in the CVPIA as environmental water] isn't going to be there either.

Response: That's an issue for the Ecosystem Restoration Program as a whole, not necessarily the DIP.

35. What would be the effects of in-Delta storage?

Response: It's being studied, but it's not a part of this package.